

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 842 of 2007(A)

TA.1124/1997 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER:

**M/S.VAS PHARMACEUTICALS INDIA LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
VASUDEVAN K.PANDALATH, THOPPIL ESTATE,
VYTTILA, COCHIN-19.**

BY ADV. SMT.G.VIDYA

RESPONDENTS:

**1. CENTRAL BANK OF INDIA,
M.G.ROAD BRANCH, ERNAKULAM,
REPRESENTED BY ITS MANAGER.**

**2. THE DEBT RECOVERY TRIBUNAL,
ERNAKULAM.**

BY GOVERNMENT PLEADER SRI.M.A.FAYAZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

P.R.RAMAN, J.

W.P.(C) NO. 842 OF 2007

Dated this the 9th day of January, 2007

J U D G M E N T

The challenge made in this writ petition is against Exhibit P6 order to the extent permitting the 1st respondent for reconstruction of the documents A8, A11 and A54 referred to in TA No.1124 of 1997. The petitioner is the first defendant. If any relief is granted based on the reconstructed document and eventually a certificate of recovery is issued, the petitioner can very well challenge the same in statutory appeal. At this stage of the proceedings, I do not find any sufficient justification for stay of further proceedings. The contention raised in the writ petition is left open and since the petitioner has got an effective remedy of appeal in the event a final order is passed overruling the objection raised by the petitioner, he is entitled to raise such contentions as well. I decline to interfere at this stage under Article 226 of the Constitution of India.

Subject to the above observation writ petition is dismissed.

P.R.RAMAN, JUDGE

Rp

WPC

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